

RENTON CITY COUNCIL

Regular Meeting

April 13, 1998 Council Chambers
Monday, 7:30 p.m. Municipal Building

MINUTES

CALL TO ORDER

Mayor Jesse Tanner led the Pledge of Allegiance to the flag and called the meeting of the Renton City Council to order.

ROLL CALL OF COUNCILMEMBERS

KING PARKER, Council President Pro tem; RANDY CORMAN; TIMOTHY SCHLITZER; KATHY KEOLKER-WHEELER; TONI NELSON. MOVED BY PARKER, SECONDED BY KEOLKER-WHEELER, COUNCIL EXCUSE ABSENT COUNCILMEMBERS BOB EDWARDS AND DAN CLAWSON. CARRIED.
(Councilman Clawson arrived at 7:35 p.m.)

CITY STAFF IN ATTENDANCE

JESSE TANNER, Mayor; JAY COVINGTON, Chief Administrative Officer; ZANETTA FONTES, Assistant City Attorney; MARILYN PETERSEN, City Clerk; GREGG ZIMMERMAN, Planning/Building/Public Works Administrator; MIKE KATTERMANN, Director of Neighborhoods & Strategic Planning; KAREN MARSHALL, Human Services Manager; DENNIS CONTE, Housing Assistance Specialist; RON STRAKA, Utility Engineering Supervisor; LISA GRUETER, Senior Planner; COMMANDER FLOYD ELDRIDGE, Police Department.

APPROVAL OF COUNCIL MINUTES

MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL APPROVE THE MINUTES OF APRIL 6, 1998, AS PRESENTED. CARRIED.

APPEAL Planning & Development Committee

Appeal Upper Monster Rd
Warehouse, Opus NW, SA-
97-164

Planning & Development Committee Chair Keolker-Wheeler presented a report regarding the appeal of the Hearing Examiner's decision to deny a variance for the Upper Monster Road Warehouse project (1200 Monster Rd. SW) to allow clearing on slopes in excess of 40%; appeal filed on 3/18/98 by Roger Pecsok, Opus Northwest LLC, 200 - 112th Ave. SE #205, Bellevue, 98004 (File No. SA-97-164). The Committee met on April 7, 1998 to consider the appeal. The applicant seeks a variance from the City's land clearing and tree-cutting ordinance (Section 4-9) in order to clear areas where the slope exceeds 40%. The applicant appealed the decision of the Hearing Examiner dated March 5, 1998.

The subject property is located at the 1200 block of Monster Road SW. The applicant seeks to develop a 111,270 square foot warehouse and office on 7.11 acres.

The Committee found that there is substantial error of fact and/or law in conclusion #2, that the applicant does not suffer undue hardship. There are unique circumstances surrounding this site. There are no naturally occurring slopes due to the mining by a prior owner. Additionally, the proposed use

seems the most appropriate use for this site. Therefore, the Hearing Examiner's conclusion that there is no undue hardship because the applicant can construct a smaller building is in error. Even with a smaller building, the same clearing would be required on the site. Alternatively, a considerably smaller building could be constructed without calling for the same magnitude of clearing. However, to require such a small building on this site would make it unattractive for sale and would therefore eliminate any incentive to develop this site for this use. Additionally, part of the site plan involves the construction of a bioswale on the west side of the site. That bioswale will be connected to an off-site retention pond to the west of the site. To require the relocation of the bioswale to any other location on this site would create an undue hardship in connecting the bioswale to the retention pond.

Further, the Committee found that the other requirements for a variance would be met. Specifically, revegetation of the cleared areas would be an enhancement to the subject property.

Therefore, the Committee recommended that the City Council reverse the decision of the Hearing Examiner and grant the requested variance, with the condition that the applicant shall be required to revegetate areas disturbed as a result of clearing and grading activity. Further, the applicant shall accomplish this revegetation immediately upon the completion of grading activities. Finally, the Committee recommended that the City Council reverse any conditions which were imposed in the Hearing Examiner's decision which are not consistent with the granting of the variance.

MOVED BY KEOLKER-WHEELER, SECONDED BY SCHLITZER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Councilmember Clawson arrived at 7:35 p.m.

PUBLIC HEARING
Building Building
Moratorium Request
(Newcastle Hook)

This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Tanner opened the public hearing to consider extending the moratorium on building permits, land use permits and subdivision permits on property to be deannexed to the City of Newcastle, located in the vicinity of Lake Washington Blvd. NE, NE 50th St., and SE 72nd Street.

Mike Kattermann, Director of Neighborhoods & Strategic Planning, reported that Newcastle has requested that the 70-day moratorium adopted by Renton on 2/02/98 be extended to allow time for completion of the annexation process. Staff recommends the moratorium be extended for six months or until the property is annexed by Newcastle, whichever comes first.

Audience comment was invited. There being none, it was MOVED BY PARKER, SECONDED BY NELSON, COUNCIL CLOSE THE PUBLIC HEARING. CARRIED. (See page 130 for resolution extending the moratorium.)

**ADMINISTRATIVE
REPORT**

Chief Administrative Officer Jay Covington reviewed a written administrative report summarizing the City's recent progress towards goals and work programs adopted as part of its business plan for 1998 and beyond. Items noted included:

- * Community Program Specialist Audrey Moore and DARE Officer Russ Radke represented Renton's Police Department at Valley Medical Center's Kid Fair on April 4th.
- * The City co-sponsored, with the Chamber of Commerce and the Renton School District, "Renton Youth Day" at the Renton Community Center.
- * The groundbreaking ceremony for the Dally project was held April 13th.

CONSENT AGENDA

Items on the consent agenda are adopted by one motion which follows the listing.

CRT 98-006, Plano v
Renton

Court Case filed in King County Superior Court by Linda Marie and Drew Plano alleging negligence and claiming damages in an undetermined amount in connection with an incident on 6/04/95 when Linda Plano fell on the dock walkway ramp at Gene Coulon Memorial Beach Park, breaking her leg. Refer to City Attorney and Insurance Services.

Plat Renton Place Division
II, Final, Talbot Rd S/S
23rd St, FP-98-012

Development Services Division recommended approval of the Renton Place Division II final plat; 11 single family lots on 1.94 acres in the vicinity of Talbot Rd. S. and S. 23rd Street (FP-98-012). Council concur. (See page 130 for resolution.)

CAG 96-0996, Maplewood
Creek Sedimentation Basin,
Walashek Industrial &
Marine

Surface Water Utility Division submitted CAG-96-096, Maplewood Creek Sedimentation Basin Reconstruction and Improvement project; and requested approval of the project, authorization for final payment in the amount of \$3,638.10, commencement of 60-day lien period, and release of retained amount of \$28,457.37 to Walashek Industrial & Marine, Inc., contractor, if all required releases are obtained. Council concur.

MOVED BY PARKER, SECONDED BY SCHLITZER, COUNCIL APPROVE THE CONSENT AGENDA AS PRESENTED. CARRIED.

CORRESPONDENCE

Citizen Comment -
Veterans Memorial
Proposed for Liberty Park

Correspondence was read from F. William Murchison, commander of the VFW #1263 in Renton, requesting authorization to construct a veterans memorial monument in Liberty Park. MOVED BY NELSON, SECONDED BY KEOLKER-WHEELER, COUNCIL REFER THIS LETTER TO THE COMMUNITY SERVICES COMMITTEE. CARRIED.

Citizen Comment King
County Council - Livable
Communities Fair
Sponsorship Request

Correspondence was read from Metropolitan King County Councilmembers Chris Vance and Maggie Fimia, representing the Regional Policy Committee, inviting Renton to help sponsor participants in a "Livable Communities Fair and Conference" scheduled for November 7, 1998. MOVED BY KEOLKER-WHEELER, SECONDED BY CORMAN, COUNCIL REFER THIS LETTER TO THE COMMUNITY SERVICES COMMITTEE. CARRIED.

Citizen Comment
Maplewood Community
Residents - Taco Time
Headquarters Rezone and
Expansion

Correspondence was read from residents of the Maplewood community expressing concern regarding the requested rezone of the Taco Time corporate office (and adjacent properties) to Commercial Arterial (CA) which would allow for expansion of this use. MOVED BY KEOLKER-WHEELER, SECONDED BY CLAWSON, COUNCIL REFER THIS LETTER TO THE PLANNING & DEVELOPMENT COMMITTEE. CARRIED.

OLD BUSINESS
Utilities Committee
Public Works
Green/Duwamish
Watershed Ecosystem
Restoration Study,
Interlocal Agreement
(CAG-98-)

Utilities Committee Chair Clawson presented a report recommending concurrence in the Planning/Building/Public Works Department's recommendation that the Mayor and City Clerk be authorized to execute the Green/Duwamish Watershed Ecosystem Restoration Study feasibility phase and cost-sharing interlocal agreement. The Committee further recommended that the resolution regarding this matter be presented for reading and adoption. MOVED BY CLAWSON, SECONDED BY SCHLITZER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED. (See page 130 for resolution.)

CAG 98-, Mosquito
Abatement Services,
Whitworth Pest Control

Utilities Committee Chair Clawson presented a report recommending concurrence in the Planning/Building/Public Works Department's recommendation that Council approve the use of Whitworth Pest Control, Inc. as the sole source provider of pest control services for the 1998/1999 mosquito abatement program. MOVED BY CLAWSON, SECONDED BY CORMAN, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Planning & Development Committee
Planning Downtown (City
Center) Sign Code

Planning & Development Committee Chair Keolker-Wheeler presented a report regarding the proposed City Center sign regulations. The Committee reviewed the proposed City Center sign regulations at several meetings since referral in late September, 1997. Tours of nearby cities as well as the downtown Renton area were conducted. The Committee recommended changes to the proposed City Center sign regulations prepared in September, 1997, primarily addressing the following topics:

- Nonconforming signs/close of business: Make these regulations tougher in the City Center than elsewhere. Allow for some exceptions for historic signs and business mergers, etc.
- Liability insurance: Require an annual permit for signs projecting over the right-of-way to ensure that insurance requirements are still in place and that the sign is still secure.
- Projecting signs: Allow small internally illuminated projecting signs; allow combination projecting signs having a portion internally lit and a portion externally lit or unlit.
- Safeway redevelopment: Accommodate Safeway's sign proposal as shown to the Committee in March, 1998. Look at sign sizes for other properties with frontage to Rainier Ave. S. while still addressing the gateway into downtown.

The Committee recommended that the proposed ordinance be amended reflecting the above, and consistent with the staff report dated April 6, 1998.

The revised ordinance is requested to be prepared for Council consideration and first reading on April 27, 1998. MOVED BY KEOLKER-WHEELER, SECONDED BY CORMAN, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Community Services
Committee

Community Event River
Days Permit Fee Waivers &
Banner Installation

Community Services Committee Chair Nelson presented a report recommending concurrence to waive all permit fees for activities endorsed by the Renton River Days Board of Directors. The Committee further recommended concurrence to hang the River Days banners from City light poles for approximately one month. MOVED BY NELSON, SECONDED BY CLAWSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Human Services Housing
Repair Assistance Program
Policies

Community Services Committee Chair Nelson presented a report recommending concurrence with the staff and Human Services Advisory Committee recommendation for the new policies of the City of Renton's Housing Repair Assistance Program. The City will begin implementation of the policies beginning on June 1, 1998. MOVED BY NELSON, SECONDED BY KEOLKER-WHEELER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Budget 1999, World War II
Memorial Contribution

Community Services Committee Chair Nelson presented a report regarding the request for a contribution to the Washington State World War II memorial. The Committee reviewed a request by the Washington State World War II Memorial Committee to donate \$5,000 toward the establishment of a memorial in Olympia. Subsequent staff research found that this effort has the backing of the State legislature in the form of a 1998 budget appropriation of \$200,000, and that an additional \$170,000 has been raised to date towards the \$700,000 total needed to construct the memorial. All cities and counties in the state have been asked to donate along with other public and private organizations. Based on the information gathered to date about this project as outlined in the staff report, the Committee felt the Washington State World War II Memorial is a legitimate and worthy memorial for Washington State World War II veterans. Therefore, the Committee recommended that Council approve a \$5,000 contribution, and the Administration be directed to include this contribution in the 1999 budget. MOVED BY NELSON, SECONDED BY CORMAN, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Transportation
Committee

Lease Lane Aviation Lease
Division (LAG-85-013)

Transportation (Aviation) Committee Chair Schlitzer presented a report recommending that Council authorize the division of the Lane Aviation ground lease into two parcels, as requested, with the understanding that this authorization does not constitute consent of the City for Mr. Lane to assign, sell or otherwise transfer possession of the parcels until all necessary paperwork has been completed, and that the City is not waiving or otherwise divesting its ownership interest in the buildings on the premises, as provided in the current lease with Lane. The Committee further recommended that two new leases be prepared and executed between the City and the new tenants (Mr. Lane's purchasers) before any assignment, sale or other transfer of the lease or possession to be effective. The termination date of the two new leases shall be extended to December 31, 2028. MOVED BY SCHLITZER, SECONDED BY

CORMAN, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Lease Cedar River Hangar
Agreements for Outdoor
Aircraft Storage

Transportation (Aviation) Committee Chair Schlitzer presented a report recommending that Council approve the lease agreements with Cedar River Hangar Limited Partnership for airport property leases on a month-to-month basis, and authorize the Mayor and City Clerk to execute the lease agreements. The Committee further recommended that Council authorize the Airport Manager to execute future month-to-month leases for individual storage units within the City-owned hangar and for month-to-month leases of airport property for the exclusive purpose of outdoor aircraft storage. MOVED BY SCHLITZER, SECONDED BY CORMAN, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Transportation Commute
Trip Reduction (CTR)
Ordinance Changes

Transportation (Aviation) Committee Chair Schlitzer presented a report regarding revisions to the Commute Trip Reduction Ordinance. This action involves changes to the City's Commute Trip Reduction Ordinance to incorporate recent legislative and administrative changes to the State's Commute Trip Reduction program. RCW 70.94.5274 requires local ordinances to be consistent with State laws as well as with guidelines established by the CTR Task Force. The proposed revisions are based on guidelines provided by the State. The Committee concurred with the proposed ordinance revisions and recommended that a public hearing be held on April 27, 1998, and an ordinance be prepared for Council's consideration on April 27, 1998 for first reading, and second reading and adoption on May 4, 1998. MOVED BY SCHLITZER, SECONDED BY CORMAN, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Transportation Main Ave S
Design Engineering
Services, CH2M Hill,
CAG-98-

Transportation (Aviation) Committee Chair Schlitzer presented a report regarding the Main Ave. S. consultant contract. The Committee recommended that Council authorize the Mayor to execute the consultant contract in the amount of \$119,704 with CH2M Hill for design and construction services of the Main Ave. S. project. Further, the Committee concurred with the Transportation staff's recommended staging and traffic control plan that keeps two-way traffic on Main Ave. S. throughout the construction and has the following elements:

- A four-week night closure for night construction of the storm drainage system between S. 4th and S. 3rd Streets. The detour will be to Rainier Ave. S. during the night-time work.
- A two-week full closure of Benson Road for retaining wall construction. Local access to City Hall will be maintained from the north at all times.

MOVED BY SCHLITZER, SECONDED BY CORMAN, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

ORDINANCES AND RESOLUTIONS

The following resolutions were presented for reading and adoption:

Resolution #3319

Building Building
Moratorium Request
(Newcastle Hook)

A resolution was read extending the moratorium on building permits, land use permits and subdivision permits on property to be deannexed to the City of Newcastle until October 13, 1998, or as earlier terminated according to the terms herein, or as otherwise extended; property located in the vicinity of Lake Washington Blvd. NE, NE 50th St. and SE 72nd Street. MOVED BY KEOLKER-WHEELER, SECONDED BY CLAWSON, COUNCIL ADOPT THE RESOLUTION AS PRESENTED. CARRIED.

Resolution #3320

Plat Renton Place Division
II, Final, Talbot Rd S/S
23rd St, FP-98-012

A resolution was read approving the Renton Place Division II final plat; 11 single family lots on 1.94 acres located in the vicinity of Talbot Rd. S. and S. 23rd Street. MOVED BY KEOLKER-WHEELER, SECONDED BY CLAWSON, COUNCIL ADOPT THE RESOLUTION AS PRESENTED. CARRIED.

Resolution #3321

Public Works
Green/Duwamish
Watershed Ecosystem
Restoration Study,
Interlocal Agreement
(CAG-98-)

A resolution was read authorizing the Mayor and City Clerk to enter into an interlocal agreement with King County and other nearby jurisdictions for cost sharing in the feasibility phase of the Green/Duwamish watershed ecosystem restoration study. MOVED BY CLAWSON, SECONDED BY SCHLITZER, COUNCIL ADOPT THE RESOLUTION AS PRESENTED. CARRIED.

The following ordinance was presented for second and final reading:

Ordinance #4716

Planning Shoreline Master
Program Amendments

An ordinance was read repealing Ordinance No. 4695 and adopting amendments to the Shoreline Master Program. MOVED BY KEOLKER-WHEELER, SECONDED BY NELSON, COUNCIL ADOPT THE ORDINANCE AS PRESENTED. ROLL CALL: ALL AYES. MOTION CARRIED.

NEW BUSINESS

Legal Drug Paraphernalia
Sales (New State Law)

Councilman Clawson reported that the State recently approved a new law making it an infraction to sell drug paraphernalia. He hoped that Renton will enforce this ordinance with vigor when it takes effect.

Transportation Allocation
of Proposed New Gas Tax

Councilmember Keolker-Wheeler announced that certain Metropolitan King County Councilmembers have expressed interest in encouraging the suburban jurisdictions to contribute their share of a proposed \$0.023 per gallon local option gas tax for "regional" projects. Renton's share could amount to \$500,000 annually. MOVED BY KEOLKER-WHEELER, SECONDED BY PARKER, THIS MATTER BE REFERRED TO THE TRANSPORTATION COMMITTEE. CARRIED.

Transportation Sound
Transit (RTA) Alignment
Proposals

Councilman Schlitzer requested that Council receive a presentation on the alignment alternatives put forth by Sound Transit (formerly known as the Regional Transit

Authority, or RTA).

ADJOURNMENT

MOVED BY PARKER, SECONDED BY KEOLKER-WHEELER, COUNCIL ADJOURN. CARRIED. Time: 8:25 p.m.

MARILYN J. PETERSEN, CMC, City Clerk

Recorder: Brenda Fritsvold
4/13/98